

Docket No.: 58799-024

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of	:	Customer Number: 20277
Isao ECHIZEN, et al.	:	Confirmation Number: 4689
Application No.: 09/659,551	:	Group Art Unit: 3621
Filed: September 11, 2000	:	Allowed: October 13, 2004
	:	Examiner: P. E. Elisca
For: CONTENTS RENDERING CONTROL METHOD, CONTENTS REPRODUCING EQUIPMENT, AND CONTENTS DISTRIBUTION EQUIPMENT		

**LETTER SUBMITTING CORRECTED FORMAL DRAWINGS**


Mail Stop ISSUE FEE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Notice of Allowability dated October 13, 2004, submitted herewith are twelve (12) sheets of Corrected Formal Drawings, including corrections made to Figure 8, in connection with the above referenced application.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP

  
Keith E. George  
Registration No. 34,111

600 13<sup>th</sup> Street, N.W.  
Washington, DC 20005-3096  
Phone: 202.756.8000 KEG:tlg  
Facsimile: 202.756.8087  
**Date: December 8, 2004**

**Please recognize our Customer No. 20277  
as our correspondence address.**



Docket No.: 58799-024

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of	:	Customer Number: 20277
Isao ECHIZEN, et al.	:	Confirmation Number: 4689
Application No.: 09/659,551	:	Group Art Unit: 3621
Filed: September 11, 2000	:	Allowed: October 13, 2004
	:	Examiner: P. E. Elisca
For: CONTENTS RENDERING CONTROL METHOD, CONTENTS REPRODUCING EQUIPMENT, AND CONTENTS DISTRIBUTION EQUIPMENT		

**COMMENTS RESPONSIVE TO STATEMENT OF  
REASONS FOR ALLOWANCE  
UNDER 37 C.F.R. § 104(e)**

Mail Stop Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The October 13, 2004 Notice of Allowability regarding the above-identified application included a Statement of Reasons for Allowance. Entry of that Statement into the record should not be construed as any agreement with or acquiescence by Applicants in the stated reasoning.

First, the Statement refers to allowed claims 1, 8, 9, 14, 17, 18 and 23. The claims actually allowed were previously numbered 25-47. It appears that the Examiner has renumbered the claims and used the new numbers in the Statement. However, there is no explanation as to the correspondence of the old numbers to the new numbers referenced in the Statement.

The Statement alleges that cited documents fail to anticipate features of claims "1, 9, 14 and 18" and recites a list of purported features. The listed features for these claims seem closest to certain aspects of method claim 25, however, the recitation in the Statement is not exactly the same

as the wording and thus the scope of even that claim. The actual wording of the allowed claim should control. Also, other claims that the Examiner renumbered and may have included as the other claims in this first the group are somewhat different and should be independently allowable.

In a similar fashion, the Statement alleges that cited documents fail to anticipate features of claims “8, 17 and 23” and recites a list of purported features. The listed features for these claims seem closest to certain aspects of method claim 31, however, the recitation in the Statement is not exactly the same as the wording and thus the scope of even that claim. The actual wording of the allowed claim should control. Also, other claims that the Examiner renumbered and may have included as the claims in the second group are somewhat different and should be independently allowable.

The language of the allowed claims is already of record in the case and is adequately clear. As shown above, the recitation of “features” in the Statement paraphrases only selected parts of two of the independent claims, which may cause confusion, particularly to the extent if any that the Statement may differ from the proper interpretation of the actual language of allowed claims 25-47. Also, since the Examiner has not explained the renumbering, it is not clear on the record exactly which claims the Examiner is discussing. Comments above are based on a “best guest” effort to understand the Statement. Further, the allowed claims differ as to language and scope, and it is submitted that each claim is independently patentable in its own right, not just for one or the other of the two collective reasons suggested by the Statement.

It is respectfully submitted that the allowed claims should be entitled the broadest reasonable interpretation and broadest range of equivalents that are appropriate in light of the language of the claims, the supporting disclosure and the Applicants’ prosecution thereof, without reference to the Statement of Reasons for Allowance.

No.: 09/659,551

To the extent necessary, if any, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

MCDERMOTT WILL & EMERY LLP



Keith E. George  
Registration No. 34,111

600 13<sup>th</sup> Street, N.W.  
Washington, DC 20005-3096  
202.756.8000 KEG:MWE  
Facsimile: 202.756.8087  
**Date: December 8, 2004**